

REMARKS

Reconsideration and withdrawal of the objections to and rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

OBJECTIONS TO THE SPECIFICATION

The specification was objected to for inclusion of a line that the examiner suggested should be deleted for clarification purposes. The amendment to the specification renders the objection moot.

Consequently, reconsideration and withdrawal of the objection to the specification are respectfully requested.

OBJECTIONS TO DRAWINGS

The drawings were objected to because Figure 1 allegedly should be designated by a legend such as Prior Art. The amendment to the drawings renders the objection moot. As the application does not refer to this figure as prior art, the term “related art” is most apt.

Consequently, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

35 U.S.C. 102(E) REJECTIONS

Claims 1, 3-6, 8 and 9 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Vimpari (US Patent 6,577,671). The amendment to the claims, without prejudice, renders the rejection moot.

The Applicant calculates performance values for different spreading codes based upon the structure of the multipath signal. For example, in a preferred embodiment of the invention

using a RAKE receiver, performance values can be calculated by combining values corresponding to each finger of the RAKE receiver. The advantages of such a method include selecting spreading codes which make fuller use of the multipath signal energies than does the receiver, and which have the multipath channel itself delay and modify the signals so that most of the multipath components contribute constructively to the sum of the received signal.

Vimpari, on the other hand, discusses a method for assigning spreading codes that requires determining entries in a performance table based on a weighted combination of cross-correlation factors between spreading codes and an auto-correlation factor of spreading codes. Vimpari does not suggest assigning spreading codes based on multipath signal structure or receiver structure. Moreover, Vimpari's method is designed specifically to minimize interference between spreading codes, while the preferred embodiment of Applicant's invention does not consider interference between spreading codes at all.


Claims 2 and 7 were objected to as allegedly being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The amendment to the claims, without prejudice, renders the objection moot. The base claims have been amended for allowance. In addition, claims 2 and 7 have been written in independent form including all of the limitations of the base claim, as claims 10 and 11 respectively.

Consequently, withdrawal of the 35 U.S.C. 102(e) rejections are believed to be in order and such actions are respectfully requested.

CONCLUSION

Claims 1-11 are in condition for allowance. Favorable reconsideration of the application, withdrawal of the rejections and objections, and prompt issuance of the Notice of Allowance are, therefore, all earnestly solicited.

Respectfully submitted,
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Encs. - Drawings Marked in Red
- Amended Drawings

IN THE DRAWINGS:

Amendments to the drawings are marked in red on the enclosed copies. Copies of the amended drawings are also enclosed.



1/1

RELATED ART

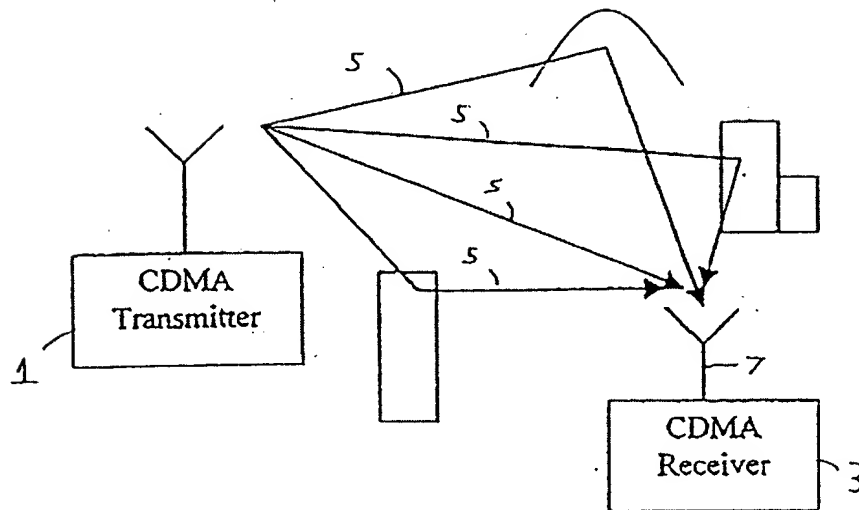


Figure 1

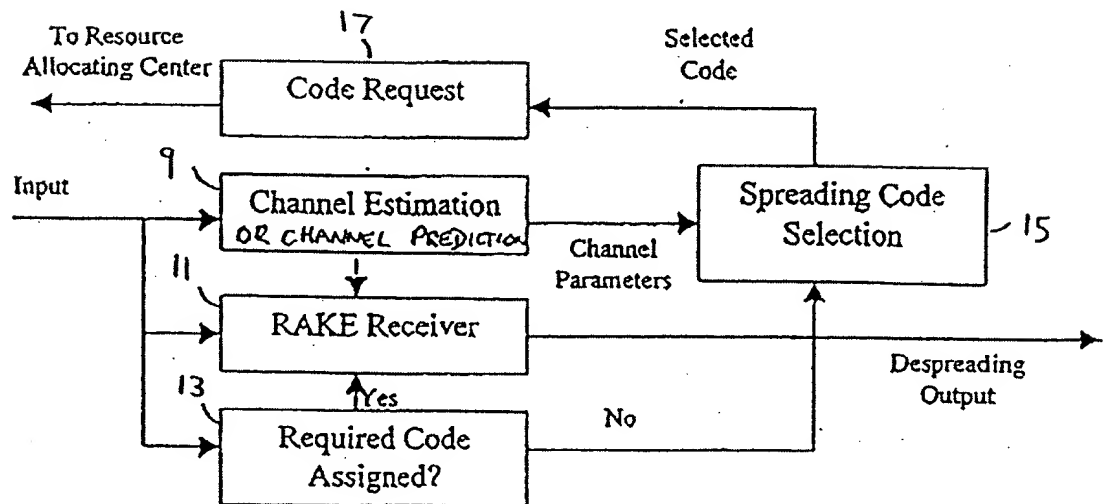


Figure 2